

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

RIGEL PHARMACEUTICALS, INC.,

Plaintiff,

v.

HONORABLE DAVID J. KAPPOS,
Undersecretary of Commerce for
Intellectual Property & Director of the
United States Patent & Trademark Office,

Defendant.

Civil Action No. 09-1914 (JDB)

ORDER

Upon consideration of [10] the parties' joint motion to lift the stay and remand the case, and the entire record herein, it is hereby **ORDERED** that the motion is **GRANTED**; it is further **ORDERED** that the Clerk of Court shall reopen this case forthwith; it is further **ORDERED** that the stay issued in this case is **LIFTED**; it is further **ORDERED** that defendant's current patent-term calculation for United States Patent No. 7,517,886 is hereby **VACATED**; and it is further

ORDERED that the matter is **REMANDED** to the United States Patent & Trademark Office for recalculation and adjustment of the patent-term calculation for United States Patent No. 7,517,886 in accordance with the decision of the United States Court of Appeals for the Federal Circuit in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, --- F.3d ---, 2010 WL 27184 (Fed. Cir. Jan. 7, 2010).

SO ORDERED.

/s/

JOHN D. BATES
United States District Judge

Date: March 3, 2010